

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

July 14, 2023

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: Mutual Cancellation of Concession Contract (LM-19-003) to ProPark, Inc. situated at Lahaina Small Boat Harbor, Lahaina, Island of Maui, Hawaii, Tax Map Key: (2) 4-6-001:002 (por).

APPLICANT:

ProPark, Inc. ("ProPark"), a Hawaii Profit Corporation, whose mailing address is 771 Amana Street, 3rd Floor, Honolulu, HI 96814.

LEGAL REFERENCE:

Sections 171-13 and 102.7, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Lahaina Small Boat Harbor, Lahaina, Island of Maui, Hawaii identified by Tax Map Key: (2) 4-6-001:002 (por) hereinafter referred to as the "Premises" as shown on the map labeled **Exhibit A-1 and A-2** and attached hereto.

AREA:

Approximately 18,000 square feet, more or less.

ZONING:

State Land Use District: Urban
County of Maui Zoning: HD-1 Historic District 1

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES X NO ___

Item J-4

BLNR – Cancellation of Concession Contract LM-19-003
to Pro Park, Inc.

July 14, 2023

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

Encumbered by parking concession contract LM-19-003 issued to Pro Park, Inc. for parking lot operation.

CHARACTER OF USE:

Vehicle parking concession.

TERM OF CONCESSION CONTRACT:

Five (5) years, commencing on May 1, 2020, and expiring on April 30, 2025.

CANCELLATION DATE:

September 30, 2020.

REMARKS:

At its meeting on July 13, 2018, under agenda item J-2, the Board approved the request to issue a five-year concession contract with an option to renew for one additional five-year term for operating a parking concession at Lahaina Small Boat Harbor. The contract was awarded to ProPark and the contract commenced in May 2020. Due to unforeseen circumstances, such as the COVID-19 pandemic which started to impact Hawaii in 2020, ProPark, Inc. was unable to generate enough revenue and fulfill their contract.

ProPark has deposited the amount of \$8,000 as security for the performance of the concession contract. DOBOR will retain this deposit considering the cancellation.

Staff recommends the Board authorize the mutual cancellation of Concession Contract LM-19-003 to ProPark, Inc.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Authorize the mutual cancellation of concession contract LM-19-003 to ProPark, Inc. at Lahaina Small Boat Harbor under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current mutual cancellation concession contract document form as may be amended from time to time;

July 14, 2023

- b. The effective date of cancellation shall be September 30, 2020;
- c. Review and approval by the Department of the Attorney General; and
- d. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating and Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG
Chairperson
Board of Land and Natural Resources

Attachments:
A-1 Site Map
A-2 Site Map

Exhibit A-1

Lahaina Small Boat Harbor



Exhibit A-2

Lahaina Small Boat Harbor

